

# Exhibit C

## Kyle Johnson

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**From:** Niel Prosser  
**Sent:** Thursday, April 28, 2022 5:16 PM  
**To:** JRyland@blackmclaw.com  
**Cc:** Niel Prosser; Kyle Johnson; Branson, John  
**Subject:** RE: Raymond James & Assocs., Inc. v 50 North Front St., TN, LLC

John,

I write in response to your April 25, 2022 letter and respectfully decline your request that Raymond James consent to your clients' (50 North and Madison Realities, LLC ("Madison")) contention that they can withhold documents that the Court has both ordered be produced and determined not to be privileged. (*See e.g.* ECF 172 and 401). While the status of the case has changed in certain particulars, those changes have not mooted the relevance of many of the documents sought – both in Raymond James' discovery to 50 North and its subpoena to Madison. Indeed, the allegations in 50 North's Counterclaim, as well as the Raymond James' denials/affirmative defenses put the Building's elevators squarely at issue. Moreover, the various claims and defenses both parties have raised in the other, now consolidated claims, extend the relevant scope of discovery even further and include such things as operating expenses, the Early Termination Fee/Option Fee, storage space, food service, etc. Raymond James will thus not consent to the requested Motion for Protective Order. Nor will it waive your clients' failure(s) to timely object to the scope of Raymond James' discovery requests or to the rulings of the Court and/or the Magistrate Judge.

Given the positions taken in your letter, it appears that Raymond James will have to file a Motion to Show Cause/Motion to Compel. This Motion will seek the production of all relevant documents withheld from discovery by 50 North and/or Madison that, given the Court's recent Order, are not subject to privilege. This will include all such documents to or from Joel Friedman or other Madison personnel/agents (whether directly, or by way of "cc" or "bcc"). Pursuant to the consultation requirements of the Local Rules of Court, I would appreciate you informing me as to whether 50 North/Madison will consent to such a Motion by COB Monday (May 2<sup>nd</sup>).

Sincerely,

Niel Prosser

## PROSSER, CLAPPER & JOHNSON



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**From:** Rhonda Friedrichsen <rfriedrichsen@blackmclaw.com>  
**Sent:** Monday, April 25, 2022 4:54 PM

**To:** Niel Prosser <np@prosserlaw.com>

**Cc:** jbranson@bakerdonelson.com; MMclaren <MMclaren@blackmclaw.com>; J Ryland <JRyland@blackmclaw.com>

**Subject:** Raymond James & Assocs., Inc. v 50 North Front St., TN, LLC

Please see attached correspondence from Attorney John Ryland.

**Rhonda Friedrichsen**

**Legal Assistant/Paralegal**



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